

**FILED**

JUL 23 2024

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**U.S. DISTRICT COURT- NDWV  
MARTINSBURG, WV 25401**

**UNITED STATES OF AMERICA**

**v.**

**Criminal Action No. 3:24-CR 34**

**DELANO ALAN BUTLER,  
FAITH ELIZABETH SMALL,  
JWAN MARTINE SMITH,  
GERALDINE LAGATA HILL,  
CODY AARON ASHBY,  
CRYSTAL LYN LEWIS, and  
MATTHEW JAMES ELSEA,**

**Violations: 18 U.S.C. § 924(o)  
21 U.S.C. § 841(a)(1)  
21 U.S.C. § 841(b)(1)(A)  
21 U.S.C. § 841(b)(1)(C)  
21 U.S.C. § 846  
21 U.S.C. § 856**

**Defendants.**

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

(Conspiracy to Possess with Intent to Distribute and to Distribute 400 Grams or More of Fentanyl)

From on or about January 1, 2024 to on or about February 27, 2024, in Berkeley County, in the Northern District of West Virginia, and elsewhere, defendants **DELANO ALAN BUTLER, FAITH ELIZABETH SMALL, JWAN MARTINE SMITH, GERALDINE LAGATA HILL, CODY AARON ASHBY, CRYSTAL LYN LEWIS, and MATTHEW JAMES ELSEA**, did unlawfully, knowingly, intentionally, and without authority combine, conspire, confederate, agree and have a tacit understanding with each other and other persons to violate Title 21, United States Code, Section 841(a)(1). It was a purpose and object of the conspiracy to possess with intent to distribute and to distribute 400 grams or more of fentanyl, a Schedule II controlled substance; in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A).

**COUNT TWO**

(Conspiracy to Possess Firearms in Furtherance of a Drug Trafficking Crime)

On or about February 15, 2024, in Berkeley County, in the Northern District of West Virginia, and elsewhere, defendants **DELANO ALAN BUTLER, FAITH ELIZABETH SMALL, JWAN MARTINE SMITH, GERALDINE LAGATA HILL, CODY AARON ASHBY, CRYSTAL LYN LEWIS, and MATTHEW JAMES ELSEA**, did unlawfully and knowingly combine, conspire, confederate, and agree with each other and other persons, known and unknown to the Grand Jurors, to possess firearms in furtherance of a drug trafficking crime, to wit: an offense under subsection (c) of Title 18, United States Code, Section 924; in violation of Title 18, United States Code, Section 924(o).

**COUNT THREE**

(Maintaining a Drug-Involved Premises)

During the period commencing in or about January 2024 to February 15, 2024, in Berkeley County, in the Northern District of West Virginia, defendant **FAITH ELIZABETH SMALL**, did knowingly open, use, and maintain a place located on Shepherdstown Road in Martinsburg, West Virginia for the purpose of distributing and using a controlled substance, and did manage and control such place as an owner, agent, and occupant and did knowingly and intentionally make available for use such place for the purpose of unlawfully distributing and using controlled substances; in violation of Title 21, United States Code, Sections 856(a)(1) and (b).

**COUNT FOUR**

(Possession with Intent to Distribute Fentanyl)

On or about February 15, 2024, in Berkeley County, in the Northern District of West Virginia, defendants **CODY AARON ASHBY and CRYSTAL LYN LEWIS** did unlawfully, knowingly, intentionally, and without authority possess with intent to distribute a mixture and substance containing fentanyl, a Schedule II controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT FIVE**

(Possession with Intent to Distribute Methamphetamine)

On or about February 27, 2024, in Berkeley County, in the Northern District of West Virginia, defendant **MATTHEW JAMES ELSEA** did unlawfully, knowingly, intentionally, and without authority possess with intent to distribute a mixture and substance containing methamphetamine, a Schedule II controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**FORFEITURE ALLEGATION***Controlled Substance Act*

Pursuant to Title 21, United States Code, Section 853 and Title 21, United States Code, Sections 841, the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any property used, or intended to be used, to commit or to facilitate the commission of the above referenced offense, and any property constituting, or derived from, proceeds obtained directly or indirectly, as a result of such offense, including Kel-Tec CNC Industries, Inc., semi-automatic rifle model RFB 7.62 Nato caliber bearing serial number T5102; a Century Arms International, Inc., semi-automatic rifle, model AK-63D, caliber 7.62 x 39mm, bearing serial number 63D-PM03296; a L.W. Schneider, Inc. for Palmetto State Armory, semi-automatic rifle, model PA-15, 5.56 Nato caliber, bearing serial number LW112365; a C. Machine, LLC for Palmetto State Armory, semi-automatic rifle, model M4 Carbine, .300 Blackout caliber, bearing serial number W1008035; a WM C Anderson, Inc. (Trade Name: Anderson Manufacturing), semi-automatic rifle, model AM-15, .223 Remington caliber, bearing serial number 17194750; a Radikal Arms (Made in Turkey), semi-automatic shotgun, model NK-1, 12 gauge, bearing serial number: 21RB-02670; a Walther GmbH (Made in Germany), semi-automatic rifle, model H&K MP5 SD, .22 Long Rifle (LR) caliber, bearing serial number WG004977; a Glock GmbH (Made in Austria), semi-automatic pistol, model 19, 9 x 19mm caliber, bearing serial number BGZY188; a Glock, Inc. USA, semi-automatic pistol, model 26, 9 x 19mm caliber, bearing serial number AGDF195; a Taurus Forjas S.A. (Made in Brazil), semi-automatic pistol, model G3X, 9 x 19mm caliber, bearing serial number ADJ737406; a Polymer80, Inc., semi-automatic pistol, model PF940C, .40 Smith & Wesson (S&W) caliber, with no serial number; a Glock GmbH (Made in Austria), semi-automatic pistol, model 30, .45 Automatic Colt Pistol (ACP) caliber, bearing serial number BXHU817; and two unidentified .223 Remington Caliber AR15 type rifle with no identifiable markings or serial number.

*Gun Control Act*

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1), the government will seek the forfeiture of any firearm and any ammunition involved in or used in any knowing violation of Title 18, United States Code, Sections 924(o), including a Kel-Tec CNC Industries, Inc., semi-automatic rifle model RFB 7.62 Nato caliber bearing serial number T5102; a Century Arms International, Inc., semi-automatic rifle, model AK-63D, caliber 7.62 x 39mm, bearing serial number 63D-PM03296; a L.W. Schneider, Inc. for Palmetto State Armory, semi-automatic rifle, model PA-15, 5.56 Nato caliber, bearing serial number LW112365; a C. Machine, LLC for Palmetto State Armory, semi-automatic rifle, model M4 Carbine, .300 Blackout caliber, bearing serial number W1008035; a WM C Anderson, Inc. (Trade Name: Anderson Manufacturing), semi-automatic rifle, model AM-15, .223 Remington caliber, bearing serial number 17194750; a Radikal Arms (Made in Turkey), semi-automatic shotgun, model NK-1, 12 gauge, bearing serial number: 21RB-02670; a Walther GmbH (Made in Germany), semi-automatic rifle, model H&K MP5 SD, .22 Long Rifle (LR) caliber, bearing serial number WG004977; a Glock GmbH (Made in Austria), semi-automatic pistol, model 19, 9 x 19mm caliber, bearing serial number BGZY188; a Glock, Inc. USA, semi-automatic pistol, model 26, 9 x 19mm caliber, bearing serial number AGDF195; a Taurus Forjas S.A. (Made in Brazil), semi-automatic pistol, model G3X, 9 x 19mm caliber, bearing serial number ADJ737406; a Polymer80, Inc., semi-automatic pistol, model PF940C, .40 Smith & Wesson (S&W) caliber, with no serial number; a Glock GmbH (Made in Austria), semi-automatic pistol, model 30, .45 Automatic Colt Pistol (ACP) caliber, bearing serial number BXHU817; and two unidentified .223 Remington Caliber AR15 type rifle with no identifiable markings or serial number.

A true bill,

/s/  
Grand Jury Foreperson

/s/

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WILLIAM IHLENFELD

United States Attorney

Lara K. Omph-Botteicher

Morgan C. McKee

Assistant United States Attorneys